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Letter dated 20 November 2007 from the Permanent Representative of Eritrea to the United Nations addressed to the President of the Security Council

I have the honour to transmit herewith the text of a letter dated 20 November 2007 from the President of the State of Eritrea, Isaias Afwerki, to the Secretary-General, concerning the peace process in the border conflict between Eritrea and Ethiopia (see annex).

I should be grateful if the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Araya **Desta**
Ambassador
Permanent Representative

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Annex to the letter dated 20 November 2007 from the Permanent Representative of Eritrea to the United Nations addressed to the President of the Security Council

As you are well aware, Eritrea has continued to respect the rule of law and to uphold the integrity of the Algiers Peace Agreement for the past five and a half years. It had accepted the 13 April 2002 binding Award of the Eritrea-Ethiopia Boundary Commission without equivocation and patiently waited for the implementation of the Award through physical demarcation so as to bring the matter to closure.

Encouraged by its supporters, however, the Government of Ethiopia has endeavoured to force renegotiation of the final and binding Award even while all along pretending to abide by the Algiers Agreement. The result has been an endless series of pretexts designed to frustrate the demarcation process, to paralyse the Boundary Commission and to force the adoption of an "alternative" mechanism. In the cynical view of the Government of Ethiopia, an interminable paralysis of the process would inevitably entail "the death of the lender, the death of the borrower, or the death of the broker culminating in the death of the process itself".

In the meantime, Ethiopia continues to occupy Eritrean territories by force in violation of international law and the Algiers Agreement.

Frustrated by Ethiopia's non-compliance with its treaty obligations and the failure of the Security Council to shoulder its legal and moral responsibilities of enforcement, the Boundary Commission has announced that it will close shop towards the end of this month and terminate its functions through what it has termed "virtual demarcation". My Government has been and shall be further communicating its views and legal positions on the matter to the Commission. But it must be underlined that responsibility for the Commission's inability to proceed further towards physical demarcation lies squarely on the shoulders of the Government of Ethiopia and its external supporters.

It must be further noted that had the Algiers Agreement been respected, the final and binding Award fully accepted, and the demarcation of the boundary expeditiously completed, the peoples of Eritrea and Ethiopia would long ago have returned to their natural state of good neighbourliness and cooperation. Instead, the violation of the Agreement has not only embroiled the peoples of Eritrea and Ethiopia in conflict but also plunged the whole region into a spiral of dangerously escalating crisis. Again, it must be recognized that responsibility for the unremitting hostility and tension rests squarely on the shoulders of the Government of Ethiopia and those that have encouraged its unlawful conduct.

As you will agree, Ethiopia's occupation of sovereign Eritrean territories constitutes a grave violation of Articles 2.3 and 2.4 of the Charter of the United Nations and poses a dangerous threat to regional peace and security. In the circumstances, I urge you to take necessary measures to redress the situation before it is too late. Our sovereign territories cannot remain under occupation through the violation of the rule of law.

(*Signed*) Isaias **Afwerki**